ESTTA Tracking number:

ESTTA118390

Filing date:

### 01/08/2007

# IN THE UNITED STATES PATENT AND TRADEMARK OFFICE BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

| Proceeding                | 91174241   |
|---------------------------|--|
| Party                     | Defendant William Switzer & De |
| Correspondence<br>Address | DEAN A. PALMER; DEAN PALMER IP LAW BOX 12109 SUITE 220; 555 WEST HASTINGS S VANCOUVER; XPX V6B 4N6 CAX - CANADA, CANADA  |
| Submission                | Other Motions/Papers   |
| Filer's Name              | Dean A. Palmer   |
| Filer's e-mail            | dean_palmer@iproperty.ca,nathan_drake@iproperty.ca   |
| Signature                 | /Dean A. Palmer/   |
| Date                      | 01/08/2007   |
| Attachments               | 150L2.Stipulation to Extend Time080107.pdf ( 2 pages )(31055 bytes )   |

# IN THE UNITED STATES PATENT AND TRADEMARK OFFICE BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

In the matter of Application Serial No. 78/747736 Filed on November 4, 2005

### For the Mark ANDRE ARBUS COLLECTION (and DESIGN)

Published in the Official Gazette on October 31, 2006 Opposition No. 91174241

Original Arts Manufacturing Corporation :

Opposer : Opposition No. 91174241

v. :

William Switzer & Associates Ltd. :

Applicant :

# STIPULATION TO EXTEND TIME TO FILE ANSWER TO NOTICE OF OPPOSITION

In accordance with TBMP §§ 310.03(c), Applicant in the above-identified opposition proceeding, by and through its attorneys, hereby stipulates that the time to file and serve the Answer be extended for a period of forty-five (45) days until **February 22, 2007**, such date being prior to the closing date for discovery.

The extension is to permit the Applicant's counsel time to fully consider the pleadings and prepare an appropriate Answer in response to the Notice of Opposition, and for the Applicant's counsel to continue settlement negotiations with Opposer. Opposer's attorney, Sherry Flax, has consented to this extension.

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The foregoing request is not being filed for the purpose of mere delay, and favorable consideration and approval of this request is respectfully solicited.

Respectfully submitted,

for WILLIAM SWITZER & ASSOCIATES

LTD.

Dean A. Palmer

Dean Palmer IP Law & IProperty Inc. 2200 – 555 West Hastings Street

Vancouver, BC V6B 4N6

Canada

(604) 677-7727

Counsel for Applicant

Dated: January 8, 2007

#### CERTIFICATE OF SERVICE

It is hereby certified that a copy of the foregoing was sent by overnight courier to Opposer's counsel Sherry H. Flax of Saul Ewing LLP at 500 E. Pratt St. Suite 900, Baltimore, MD 21202 on this 8<sup>th</sup> day of January, 2007, and electronically to the Commissioner for Trademarks, 2900 Crystal Drive, Arlington, Virginia 22202-

Dean A. Palmer

Counsel for Applicant